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COMMUNICATIONS

To the editors of THE AMERICAN HISTORICAL REVIEW :

I would not ask for a hearing in reply to the criticism of my *History of the United States for Secondary Schools*, which appeared in the July number of the REVIEW, (IX, 792-794) if I did not find errors in it that do me injustice, and which I have no doubt that you will wish to correct.

(1.) My "account of political development in Massachusetts Bay (pp. 65-66)" is said to be "crammed with errors", and the reviewer specifies four, represented as appearing in the following passage :

At the outset, the general body of the "freemen" of the colony could exercise their political franchise only by being present at the meetings called the "general court." They elected the twelve "assistants provided for in the charter;" the assistants elected the governor; the governor and assistants made and executed laws. But in the second year of the colony the yearly election of the governor was taken from the assistants and given to the general body of freemen; and in the third year a representative legislature was created, formed of deputies from each town.

On these statements the reviewer remarks, first, that "the charter did not provide for 'twelve' assistants, but for eighteen", in which he is correct; my error is indubitable; but in the comment that follows I find my critic less accurate. He says :

"At the outset" the assistants did not elect the governor—not until after a great unconstitutional usurpation, which is ignored in the account. The representative legislature was not created in the "third year" but in the fifth; and it was not composed as stated by Mr. Larned.

Now, the facts, as they appear in the *Records of the Governor and Company of the Massachusetts Bay*, are these: At the first general court which assembled the whole company, held on October 19, 1630,

It was propounded if it were not the best course that the freemen should have the power of choosing assistants when there are to be chosen, and the assistants from amongst themselves to choose a governor and deputy governor, who with the assistants should have the power of making laws and choosing officers to execute the same. This was fully assented unto by the general vote of the people, and erection of hands. (*Records*, I, 79.)

As this action was on the occasion of the first meeting of the "general body of the freemen of the colony", only four months after their landing, and as it was the first exercise of "their political franchise", I claim strict correctness in my reference to it as being "at the outset" of the political development of the colony in Massachusetts Bay.

At a meeting of the general court held May 9, 1632 (in the second year of the colony),

It was generally agreed upon, by erection of hands, that the governor, deputy governor, and assistants should be chosen by the whole court of governor, deputy governor, assistants, and freemen, and that the governor shall always be chosen out of the assistants. (*Records*, I, 95.)

Relative to the creation of the representative legislature, the testimony of the colony *Records* is this: The colonists began to arrive in Massachusetts Bay during June, 1630. That was the beginning of the existence of the colony they came to found, and the third year of the colony ended in June, 1633. I am wrong, therefore, in stating that the representative legislature was created in the third year, and my critic is equally wrong in ascribing it to the fifth year; for it was actually in the fourth year—on May 14, 1634—that the first general court of delegates was held. At that meeting it was

Ordered, that it shall be lawful for the freemen of every plantation to choose two or three of each town before every general court, to confer of and prepare such public business as by them shall be thought fit to consider of at the next general court, and that such persons as shall be hereafter so deputed by the freemen of [the] several plantations, to deal in their behalf, in the public affairs of the commonwealth, shall have the full power and voices of all the said freemen, derived to them for the making and establishing of laws, etc. (*Records*, I, 118.)

Plainly this authenticates my statement of the composition of the representative legislature, and does not sustain your reviewer's contradiction.

(2.) It is said by the reviewer that "The false idea that the Massachusetts Bay Company's charter was exceptional and liberal in character is strongly emphasized" in my account of it (p. 39). Against this construction of my treatment of the charter I appeal to the text. The single sentence that can seem to bear that emphasis is one which speaks of the charter as being "drawn in such terms that, by shrewd and bold management, a degree of independence which the king had not dreamed of was secured". I think you will agree with me that those terms of the charter which made it possible for the "governor and company" to carry it to New England and establish their seat of government there had precisely the effect I described.

(3.) I appeal again to the text of my book against the statement that "'English' ships, in the meaning of the Navigation Acts, are represented as excluding colonial ships". If my description of the navigation acts (pp. 111-112) is faulty, it is because I have made no representation whatever as to the meaning of the term "English ships".

(4.) Still further, I appeal to my own text for defense against a disparaging remark in the review, that "The great Intercolonial Committees [of correspondence] inaugurated by Virginia (p. 173) ought not to be confused in character or origin with the merely local committees within Massachusetts, or within any other colony". I cannot discover such confusion, in the slightest degree. After mentioning the institution of the local committees of correspondence in Massachusetts, in November, 1772, I have said that "A little later, in the spring of 1773, the

idea of the committees of correspondence was taken up in Virginia, and developed into an inter-colonial system of consultation and agreement"; and this is a statement of simple fact.

(5.) I am unjustly represented by such a remark in the review as this: "Foolish as were the acts of the government of George III., we hardly expect in this day to hear a sober text-book apply to them the epithet of 'atrocious despotism' ". Your readers will understand from this that I have so characterized "the acts of the government of George III." in some general way; whereas the fact is that I apply the epithet "atrocious despotism" (p. 175) specifically and only to those acts of Parliament that were adopted for the punishment of Boston and Massachusetts after the doings of the "tea-party". Mr. Fiske has characterized those acts as "measures for enslaving peaceful and law-abiding Englishmen", and as "edicts" that "one would naturally expect" "from the autocratic mouth of an Artaxerxes or an Abderrahman" (Fiske, *The American Revolution*, I, 98); and the latest English historian of the Revolution speaks of them as "bills for the restraint or the suppression of liberty", and as being a "baleful harvest", when they were passed (Trevelyan, *The American Revolution*, I, 186, 189). I judge that neither of these historians would find fault with my epithet.

(6.) To my statement that, in 1775, "the Scotch-Irish inhabitants of Mecklenburg County [N. C.] adopted resolutions which are claimed to have been the first demand for independence that was uttered by any assembly of people", the critic objects that it "will countenance the exploded legend". Apparently he does not know that what has been "exploded" in the legend is not the fact of the adoption of such resolutions, but the claim that they contained phrases which Jefferson used afterward in drafting the Declaration in 1776.

(7.) It is objected to my account of the conflict of 1771 with the "Regulators" of the Carolinas, that the Regulators "appear as warring solely against 'royal' authorities". The Carolinas were crown colonies, and the judicial and executive authorities in them which the Regulators resisted were "royal" authorities, strictly so; and the source of the trouble with them was in the higher "royal" authority, exercised in England, where attempts by the provincial assemblies to redress the grievances of the "up country" settlers were hindered by the king and the privy council.

(8.) Alluding to my remark that the Virginia Assembly of 1619 was "probably the first colonial legislature in the world since those of the ancient Greeks", the reviewer observes with some sarcasm of tone that it "flatters the Greeks and depreciates the later Romans and the very much later English colonists in Ireland". This intimates, of course, that my critic has sure knowledge of the existence in the Roman colonies of legislatures comparable with those of the English colonies in America; but I beg leave to doubt his ability to produce good evidence of the fact. Greenidge says of the Roman colonies:

None of these communities of Roman citizens possessed a true civic organisation of its own. We cannot define the rights of their town-councils, we cannot assert the absolute non-existence of popular gatherings for certain purposes ; but the absence of the *imperium* and of a true judicial magistracy is clearly discerned. (Greenidge, *Roman Public Life*, 301.)

As for Ireland, it does not come legitimately within the category of colonies. It was a conquered country, occupied by some of the conquerors, and governed as a "lordship" of the English kings, until declared to be a kingdom, appertaining to those kings.

On these points I find the criticism of my book by your reviewer erroneous and unjust to it. On some others I question the soundness of opinions expressed by the reviewer ; but I ask no space for discussing those. On the other hand, in several instances of inaccurate statement I stand corrected by the writer of the review, and am grateful to him for pointing them out. The Massachusetts charter provided for eighteen assistants, not twelve. It was not the "old royal charter of Rhode Island", but legislation under it, that restricted the suffrage so long in Rhode Island. It was not in 1619, but in 1618, that the London Company gave the Virginia planters "a hand in the government of themselves". It is not a correct use of terms to describe the Stamp Act as one imposing "a direct tax". It was not till March, 1787, that Washington consented fully to be a delegate to the Constitutional Convention. It was a plurality, not a majority of the second votes in 1789, that made John Adams vice-president. The Constitution did not "require", but permitted Congress to prohibit the importation of slaves after 1808. My foot-note on the ordinance of 1784 is inaccurate. I trust you will permit me to acknowledge these errors, and to express my thanks for the detection of them.

Moreover, I wish to confess that your reviewer, in his characterization of myself and my work, rests his criticisms on a basis of truth. I have never been a teacher, and to call me a "historian" would be using that title, I admit, in too liberal a sense ; for I have not given to any particular section of history the minute, close, searching, special study which produces the authoritative historian of that section, and which qualifies the teacher for exactness of teaching in some special field. My want of such a specialization of historical knowledge exposes me, no doubt, to small inaccuracies, of the kind noted by your reviewer, and sometimes, perhaps, to mistaken views ; and the consciousness of this would have deterred me from undertaking to prepare any text-book of history, if I had not seen reason to conclude that, when the specialists in particular fields of history put their knowledge into books, they labor under disadvantages that differ from mine, but that may be quite as serious in the result. It seems to be very difficult for a writer whose mind is filled with the minutiae of a historical subject to see it in perspective, clearly, and to be able to present it effectively to readers and students, not in its details, but as a whole. I see evidence of this in text-books that, prob-

ably, have no such flaws as your reviewer finds in mine. Of the two kinds of defect, which mars a school-book more? I may be wrong, but I would not willingly lose the commendation given to my book in the first six lines of your review, if I could escape thereby all the criticism that comes after.

J. N. LARNED.

To the editors of the AMERICAN HISTORICAL REVIEW :

In regard to the above communication from Mr. Larned I call attention to the following points :

(1) After notice has been drawn to the matter, Mr. Larned reiterates that the "representative legislature" of 1634 in Massachusetts was composed of "deputies from each town". He even quotes from the *Records* to substantiate what might otherwise be considered merely a careless statement. Of course that "legislature" in fact was composed (1) of a necessary quorum, at least, of the "Assistants" (who were elected "at large") and (2) of the "deputies from each town." Moreover, the first element, which Mr. Larned omits, was in practice the controlling one for many years, and much important history turns upon the contests in the General Court between the Assistants and deputies. Mr. Larned's extract from the *Records* is correct, but his interpretation of it is not — apparently because he does not connect it with the charter organization of the General Court and because he fails to get the historical connection between that and the organization in 1634.

(2) As to the Mecklenburg Resolutions, Mr. Larned, to use his own words, "apparently does not know" that what has been exploded is just the claim he sanctions — that they constitute any kind of a demand for "independence".

(3) Mr. Larned defends the passage in which he styles the Virginia Assembly of 1619 "probably the first colonial legislature in the world since those of the ancient Greeks". He throws out the Roman colonies because their civic organization lacked the "*imperium*" and "a true judicial magistracy"! Does Mr. Larned hold, then, that the Virginia Assembly of 1619 had any power corresponding to the *imperium*, or that the settlers in any capacity at that time had "a true judicial magistracy"? If his objection throws out the Roman colonies, much more does it throw out his original statement.

I wish to be brief ; and I take these points because they are susceptible of compact statement. I am confident that, with somewhat extended space, I could defend every other statement to which Mr. Larned objects, but I shall trespass no further upon your indulgence.

Respectfully,
WILLIS M. WEST.